"(B) The total amounts of estimated expenditures and proposed appropriations necessary to support the programs, projects, and activities of the Department of Defense included pursuant to paragraph (5) of section 1105(a) of title 31 in the budget submitted to Congress under that section for any fiscal year.

"(c) Nothing in this section shall be construed to prohibit the inclusion in the five-year defense program of amounts for management contingencies, subject to the requirements of subsection (b)."

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 114 the following new item:

"114a. Five-Year Defense Program: submission to Congress; consistency in budgeting.".

(b) CONFORMING AMENDMENT.—Section 114 of title 10, United States Code, is amended by striking out subsections (f) and (g).

SEC. 1603. LIMITATION ON RESTORATION OF WITHDRAWN UNOBLIGATED BALANCES

(a) CONDITIONS ON RESTORATION.—(1) Chapter 165 of title 10, United States Code, is amended by adding at the end the following new section:

"§2782. Unobligated balances withdrawn from availability for obligation: limitations on restoration

"(a)(1) If a defense funds restoral to provide funds for a program, project, or activity to cover amounts required for late contract changes would cause the the total amount of such restorals during a fiscal year for late contract changes for that program, project or activity to exceed $4,000,000, the restoral action may only be carried out if—

"(A) the Secretary of the military department concerned, or the Secretary of Defense, with respect to a program, project, or activity administered by a Defense Agency, determines that such action is necessary to pay obligations and make adjustments under an existing contract; and

"(B) the action is approved by the Secretary of Defense (or an officer of the Department of Defense within the Office of the Secretary of Defense to whom the Secretary has delegated the authority to approve such an action).

"(2) A contract change shall be considered to be a late contract

change for purposes of paragraph (1) if it is made after the end of the period of availability for obligation of the account to which funds are to be restored under the restoral action.

"(b) In a case in which any defense funds restoral to provide funds for a program, project, or activity of the Department of Defense would cause the total amount so restored during a fiscal year for that program, project, or activity to exceed $25,000,000, the restoral action may not be taken until—

"(1) the Secretary of Defense submits to the Committees on Armed Services and the Committees on Appropriations of the Senate and House of Representatives a notice in writing of the intent to restore such funds, together with a description of the legal basis for the proposed action and the policy reasons for the proposed action; and

"(2) a period of 30 days has elapsed after the notice is submitted.